

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

R&B Department- Court case - Construction of HLB across river Pincha in Km 54/10 of Madanapalli - Piler road- O.S.No.5/2002 in the 1st Addl. District & Session Judge, District Court, Chittoor and E.P.No.9/2013- Administrative Sanction – Orders – Issued.

TRANSPORT, ROADS & BUILDINGS (R.I)DEPARTMENT

G.O.RT.No. 681

Dated:17.09.2014
Read the following:

1. From the ENC(R&B),Rural Roads, Lr.No.Court Case/HLB across River Pincha /CTR/DEE-II(N)/AEE-6/2013-14, dt.7.04.2014.
2. From the ENC(R&B),Rural Roads, Lr.No.Court Case/HLB across River Pincha/CTR/DEE-II(N)/AEE-6/2013-14, dt.02.07.2014 and 28.08.2014.
3. From the ENC(R&B),Rural Roads, Lr.No.Court Case/HLB across River Pincha /CTR/DEE-II(N)/AEE-6/2013-14, dt.16.08.2014 and 01.09.2014.

ORDER:

The Engineer-in-Chief (R&B),Rural Roads in his letter 1st and 2nd read above, has stated that Construction of HLB across River Pincha in Km.54/10 of Madanapalli-Piler is taken up RIDF tranche III. The work was entrusted to Sri A.Vijaya Kumar Raju, Contractor and the work was completed and final bill was paid to the Contractor in 07/2001. The Contractor has filed a case vide O.A.No.5/2002 in the Addl. District Judge Court, Chittoor wherein the Contractor has stated that due to non-payment of final bill in time and due to other reasons like suitable compensation of damages, abnormal increase of cost of materials, loss of interest on abnormal recovery, etc., he incurred heavy loss and there was breach of contract U/Sec.73 of Indian Contract Act and violation of the principles of settled laws.

2. The Engineer-in-Chief (R&B), Rural Road has stated that the District Court, Chittoor have passed a decree for Rs.1,59,12,664 in O.S. No.5/2002 of Additional District Judge, Chittoor and the same was challenged in the Hon'ble High Court of A.P. The Court while granting stay for 8 weeks ordered to deposit 50% of the decretal amount of Rs.1,59,12,664 failing which the stay stands vacated. He has requested to issue necessary orders for sanctioning the 50% of the decretal amount i.e., Rs.79,56,332 and release of funds, in order to deposit the amount with the Hon'ble Court, within the time granted by the Hon'ble High Court of Andhra Pradesh.
3. Government after careful examination of the matter hereby accord Administrative sanction for an amount of Rs.79,56,332 (Rupees seventy nine lakhs fifty six thousand three hundred and thirty two only) towards 50% of the decretal amount to deposit in the Hon'ble 1st Additional District & Session Judge, District Court, Chittoor.
4. The amount sanctioned in para(3) above shall be debited to the Head of account "MH 5054- COL on Roads and Bridges - 04- District and other roads – MH 800 Other expenditure GH 11 – Normal State Plane –SH(15) – Construction and Development of Roads works under RIDF and shall initially be met from the contingency fund as an advance and orders regarding which will be issued by Finance Department, separately.
5. The Engineer-in-Chief (R&B), Rural Roads, Hyderabad shall also send necessary proposals to Finance Department at appropriate time during the current financial year 2014-15 for obtaining supplementary grant to recoup the advance sanctioned from contingency fund.

(PTO)

6. The Engineer-in-Chief (R&B), Rural Roads, shall take necessary further action accordingly.

7. This order issues with the concurrence of Finance Department vide their U.O.No.2989/C/122/EBS-XI/A1/2014, Dt:17.09.2014.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.SAM BOB
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Engineer-in-Chief (R&B) Rural Roads, Hyderabad.

Copy to:

The Superintendent Engineer (R&B), Chittoor.

The Accountant General, Andhra Pradesh, Hyderabad.

The Director of Treasuries and Accounts, Hyderabad.

The District Treasury Officer, Chittoor District.

The Finance (EBS.XI) Department/Finance (BG-I)Department.

Sf/SC

//FORWARDED: BY ORDER//

SECTION OFFICER